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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/160,503	09/24/1998	RICHARD D. CAPPELS SR.	P2267/PA1021	6429

7590

08/24/2005

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EXAMINER
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NGUYEN, NHON D

ART UNIT	PAPER NUMBER
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2179

DATE MAILED: 08/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/160,503	CAPPELS ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Nhon (Gary) D. Nguyen	2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 25 May 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-12, 21-32 and 41-51 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12, 21-32 and 41-51 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action, via appeal brief filed on May 25, 2005, is persuasive and, therefore, the finality of that action is withdrawn. Claims 1-12, 21-32, and 41-51 are pending in this application.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-4, 21-24, and 42-51 are rejected under 35 U.S.C. 102(e) as being anticipated by Masuda et al. ("Masuda", US 5,978,041).

As per claims 1, 21, 42, 43, 48 and 50, Masuda teaches a computer implemented method and corresponding system for generating an image on a display, wherein said image includes one or more special windows comprising the steps/means:

a window manager to embed special window information in a video signal (e.g., figures 34-37; col. 34, lines 15-67), wherein said video signal characterizes said image to be generated on said display (e.g., 31 of fig. 34); and

a window decoder to extract said special window information from said video signal and responsively generate a display control signal, wherein said display control signal enables special

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processing of portions of said video signal associated with said one or more special windows, and wherein said special processing results in said one or more special windows being produced on said display with one or more display attributes that differ from non-processed portions of said video signal (e.g., figures 33 and 37; col. 32, line 65 – col. 33, line 55 and col. 34, lines 35-67).

As per claims 2 and 22, Masuda teaches the window manager is included in an operating system (it is inherent that the program executed the method of claim 1 is run within an operating system).

As per claims 3 and 23, Masuda teaches the window decoder is implemented as an application-specific integrated circuit (e.g., figures 33 and 37; col. 32, line 65 – col. 33, line 55 and col. 34, lines 35-67).

As per claims 4 and 24, Masuda further teaches a target area in said special windows to be specially processed in response to said display control signal, wherein said special processing results in said target area being produced on said display with one or more display attributes that differ from non-target areas; and a video interface to transmit data including said special window information to said display (e.g., figures 33 and 37; col. 32, line 65 – col. 33, line 55 and col. 34, lines 35-67).

As per claims 44-47, Masuda teaches the special window information is embedded in the video signal so as to be visually indistinctive to a viewer (e.g., figures 34-37; col. 34, lines 15-67).

As per claims 49 and 51, According to Masuda in figures 3 and 4, it is inherent that when a special window is covered by another window, the step of special processing is disable.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 5-12, 25-32, and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Masuda.

As per claims 5 and 25, Masuda does not disclose pixels contained in said display; a first color signal serving as a video clock signal for said special window information; a second color signal including said special window information; and a third color signal. Examiner takes Official Notice that the above display process is just a design choice and it would have been obvious to one of ordinary skill in the art. It would have been obvious to one of ordinary skill in the art at the time of the invention to include the above steps in process of displaying special windows in Masuda's system since it would have helped to improve the process of displaying special windows.

As per claims 6 and 26, Masuda further teaches key signals including a pattern of bits of said special window information to encode a target area position, and corresponding to a pattern of said pixels depicted in said display (e.g., figures 33 and 37; col. 32, line 65 – col. 33, line 55 and col. 34, lines 35-67).

As per claims 7 and 27, it is inherent in Masuda's system to have:

pixel pairs in said display each member pixel of said pixel pairs being proximately located, said pixel pairs being colored according to said first color signal, said second color signal, and said third color signal in an additively complementary manner to visually approximate a single pixel of a mixed color.

As per claims 8, 28 and 41, Masuda teaches: a start sequence indicating a beginning of said key signals; a code sequence distinguishing said key signals from said data; a horizontal offset sequence indicating a boundary of said target area relative to a horizontal position of said key signals; a vertical offset sequence indicating a second boundary of said target area relative to a vertical position of said key signals; a CRC checksum verifying said horizontal offset sequence and said vertical offset sequence; and a stop sequence indicating an end of said key signals (e.g., figures 53 and 56; col. 39, lines 49-60 and col. 40, line 54 – col. 41, line 3).

As per claims 9 and 29, Masuda further teaches non-differential key signal data indicating said start sequence and said stop sequence; and differential key signal data indicating

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remaining components of said key signals (e.g., figures 53 and 56; col. 39, lines 49-60 and col. 40, line 54 – col. 41, line 3).

As per claims 10 and 30, it is inherent in Masuda's system that a number sequence indicating a number of special windows.

As per claims 11 and 31, Masuda teaches the sequences that the special windows are displayed at col. 32, line 65 – col. 33, line 55, col. 34, lines 35-67, col. 39, lines 49-60 and col. 40, line 54 – col. 41, line 3. However, Masuda does not further explicitly disclose in detail a shape sequence indicating a shape of said target area when said target area is not rectangular. Examiner takes Official Notice that shape sequence indicating a shape of said target area when said target area is not rectangular is just a design choice and it would have been obvious to one of ordinary skill in the art.

As per claims 12 and 32, Masuda teaches the sequences that the special windows are displayed at col. 32, line 65 – col. 33, line 55, col. 34, lines 35-67, col. 39, lines 49-60 and col. 40, line 54 – col. 41, line 3. However, Masuda does not further explicitly disclose in detail a selection sequence indicating a selection from among a plurality of available special processes. Examiner takes Official Notice that a selection sequence indicating a selection from among a plurality of available special processes is just a design choice and it would have been obvious to one of ordinary skill in the art.

*Response to Arguments*

6. Applicant's arguments, filed 05/25/2005 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Masuda.

*Inquiries*

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhon (Gary) D. Nguyen whose telephone number is (571)272-4139. The examiner can normally be reached on Monday - Friday with every other Monday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571)272-4847. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nhon (Gary) Nguyen  
August 19, 2005

BA HUYNH  
PRIMARY EXAMINER